

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FN 2013-091146

06/02/2014

HONORABLE PAUL J. MCMURDIE

CLERK OF THE COURT  
L. Mitchell  
Deputy

IN RE THE MARRIAGE OF  
JAMES V HARVEY

JAMES V HARVEY  
14326 E ESTRELLA  
SCOTTSDALE AZ 85259

AND

LAURA L HARVEY

PARKER EVAN BORNMANN

**TRIAL SET**

The parties having contacted the Court and orally requested a trial date,

**IT IS ORDERED** setting this matter for Trial on **July 21, 2014 at 9:00 a.m.** (time allotted: 3 hours) before the Honorable Paul McMurdie at:

Maricopa County Superior Court  
Southeast Judicial District  
Courtroom 405  
222 E. Javelina Avenue  
Mesa, AZ 85210

**JOINT PRE-TRIAL STATEMENT**

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**IT IS ORDERED** that the parties shall file and provide this Division with a copy of a **Joint** Pretrial Statement pursuant to Rule 76, *Arizona Rules of Family Law Procedure*, no later than **5 days prior to trial**.

**IT IS FURTHER ORDERED** that the following documents shall be filed:

1. Joint Pretrial Statement
  - a. If there are disputed legal decision-making (custody) or parenting time issues, a specific proposal for legal decision-making and parenting time.
  - b. If there are disputed child support issues, a current Parent's Worksheet for Child Support Amount completed by each party pursuant to the Statewide Child Support Guidelines.
  - c. If the parties have a natural or an adopted minor unemancipated child in common, proof of compliance with the Parental Education Program requirements of A.R.S. §25-351 et seq.
  - d. If the parties have a natural or an adopted minor unemancipated child in common, proof of compliance with the Parental Education Program requirements of A.R.S. §25-351 et seq.
  - e. If there are disputed issues regarding division of property, a current and detailed Inventory of Property and Debts, together with a summary proposal by each party as to how the property and assets should be divided. If possible, the court prefers a one-page statement of all property except personal property items valued at less than \$500 each.
  - f. If spousal maintenance is requested and disputed, each party shall state the amount and duration of spousal maintenance requested.
  - g. If division of debts is an issue, the parties shall prepare and exchange a list of all debts, including creditor's name, amount of debt, monthly payment amount, the reason the debt was incurred, who should pay the debt, and all of the information required by A.R.S. §25-318(H).
  - h. If there is a disputed issue regarding the payment of attorney's fees by either party, an affidavit of the attorney's fees claimed submitted in accordance with the requirements of Rule 78(D), *Arizona Rules of Family Law Procedure*.
2. A current Affidavit of Financial Information completed by each party and filed separately from the Joint Pre Trial Statements.

**IT IS FURTHER ORDERED** that the failure of counsel or any party to appear at the time of trial, or to timely present the Joint Pretrial Statement in proper form, including each and every attachment required, shall, in the absence of good cause shown, result in the imposition of any and

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all available sanctions pursuant to Rule 76(D), *Arizona Rules of Family Law Procedure*, including proceeding to hear this matter by default based upon the evidence presented by the appearing party.

**EXHIBITS**

**IT IS FURTHER ORDERED** any evidence intended to be submitted as exhibits at the time of the Trial must be brought to this Court's Clerk in Courtroom 405 **no later than 11:00 a.m. on July 14, 2014 with a coversheet listing the description of the exhibits. All exhibits must be clearly identified, separated by a COLORED sheet.** All exhibits must be hand-delivered to Courtroom 405. The parties shall coordinate their exhibits so that each party does not present duplicate exhibits of the other party.

**NOTE:** If either party intends to offer as evidence the digital or electronic recording from a prior court proceeding, the party shall also provide to the Court a certified transcript of the recording, which shall be marked as an exhibit. The party seeking to offer the recording as evidence shall bear the cost for preparation of the transcription. If either party intends to offer documents as evidence that are in a language other than English, the Court shall be provided with an official certified translation of the documents.

**IT IS FURTHER ORDERED** that the parties shall indicate in the Joint Pretrial Statement which exhibits they have agreed will be admissible at trial as well as any specific objections that will be made to any exhibit if offered at trial which is not agreed to be admitted. Reserving all objections to the time of trial will not be permitted. At the time of trial all exhibits which the parties have agreed will be admitted and all exhibits for which no specific objection is stated in the Joint Pretrial Statement shall be summarily admitted.

**NOTICE**

You may request conclusions of fact and law on the following issues, if they are contested: the issues of child legal decision-making, relocation requests, spousal maintenance, community property, community debt, and child support. To request conclusions of fact and law, you must file a written request with the Court before the trial or the evidentiary hearing. If you make a written request before the trial or evidentiary hearing, the Court will make conclusions of fact and law as part of the final decision.

If any party asks the Court to make findings of fact and law on any issue, each party must file written proposed findings of fact and law on those issues. The proposed findings also must be submitted in an electronic form that is editable, preferably Microsoft Word. The proposed findings must be submitted with the Pretrial Statement.

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**SETTLEMENT**

Counsel and the parties are reminded of their obligation to give prompt notice of any settlement to the Court in accordance with Rule XII(b), Uniform Rules of Practice, and Maricopa County Local Rules 2.10(b) and 3.6(c).

The Court notes that if either party fails to appear at trial, default judgment may be entered against him or her and/or the matter may proceed at that time to trial or to a default judgment hearing under Rule 55(b)(2).

**IT IS ORDERED** with regard to discovery and disclosure requirements:

1. Both parties shall complete all disclosure requirements required by Rules 49 and 50, *Arizona Rules of Family Law Procedure*, including an exchange of all relevant information, documents and exhibits on or before June 20, 2014.

2. All depositions and discovery contemplated by Rules 49 through 65, *Arizona Rules of Family Law Procedure*, shall be completed and any motions regarding discovery shall be filed no later than June 20, 2014.

3. Counsel and both parties shall personally meet, face to face, at least ten (10) days prior to trial to conduct settlement discussions, prepare a Joint Pre-trial Statement, exchange all exhibits, and discuss the resolution and narrowing of all procedural and substantive issues in this case.

4. The parties shall promptly comply with all requests for relevant information in this case. In this regard, the parties shall sign all necessary consents and releases reasonably required to obtain any relevant documents or records from any financial institution, company, business, medical or health care provider or employer possessing any relevant information.

If a party is forced to incur attorney's fees or other costs to obtain documents or records by subpoena or other legal process after reasonable request of the other party to obtain such information in a more efficient or economical manner, the Court will consider a request for payment or reimbursement of such fees and costs at the time of trial.

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.